

PATENT COOPERATION TREATY

PCT

NOTIFICATION OF ELECTION
 (PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Commissioner
 US Department of Commerce
 United States Patent and Trademark
 Office, PCT
 2011 South Clark Place Room
 CP2/5C24
 Arlington, VA 22202
 ETATS-UNIS D'AMERIQUE

in its capacity as elected Office

Date of mailing (day/month/year) 04 July 2001 (04.07.01)	
International application No. PCT/US00/18986	Applicant's or agent's file reference 15280-397-IPC
International filing date (day/month/year) 12 July 2000 (12.07.00)	Priority date (day/month/year) 15 July 1999 (15.07.99)
Applicant ROBERTS, David, D. et al	

1. The designated Office is hereby notified of its election made:

in the demand filed with the International Preliminary Examining Authority on:

10 January 2001 (10.01.01)

in a notice effecting later election filed with the International Bureau on:

2. The election was

was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer H. Zhou
Facsimile No.: (41-22) 740.14.35	Telephone No.: (41-22) 338.83.38

10/030735

PCT

REC'D 17 SEP 2001

WIPO

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 15280-397-IPC	FOR FURTHER ACTION		See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. PCT/US00/18986	International filing date (day/month/year) 12/07/2000	Priority date (day/month/year) 15/07/1999	
International Patent Classification (IPC) or national classification and IPC C07K7/00			
<p>Applicant THE GOVERNMENT OF THE UNITED STATES....et al.</p>			
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 11 sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of sheets.</p>			
<p>3. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input checked="" type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input checked="" type="checkbox"/> Certain defects in the international application VIII <input checked="" type="checkbox"/> Certain observations on the international application 			

Date of submission of the demand 10/01/2001	Date of completion of this report 13.09.2001
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Lopez Garcia, F Telephone No. +49 89 2399 2171



**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/US00/18986

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, pages:

1-57 as originally filed

Claims, No.:

1-45 as originally filed

Drawings, sheets:

1/20-20/20 as originally filed

Sequence listing part of the description, pages:

1-14, filed with the letter of 29.09.00

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- the language of publication of the international application (under Rule 48.3(b)).
- the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- contained in the international application in written form.
- filed together with the international application in computer readable form.
- furnished subsequently to this Authority in written form.
- furnished subsequently to this Authority in computer readable form.
- The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/US00/18986

- the description, pages:
- the claims, Nos.:
- the drawings, sheets:
5. This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):
(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)
6. Additional observations, if necessary:
see separate sheet

III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

1. The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious), or to be industrially applicable have not been examined in respect of:
- the entire international application.
- claims Nos. 1-45.
- because:
- the said international application, or the said claims Nos. 20-45 with respect to industrial applicability relate to the following subject matter which does not require an international preliminary examination (*specify*):
see separate sheet
- the description, claims or drawings (*indicate particular elements below*) or said claims Nos. are so unclear that no meaningful opinion could be formed (*specify*):
- the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed.
- no international search report has been established for the said claims Nos. 1-45 (insofar they have not been searched).
2. A meaningful international preliminary examination cannot be carried out due to the failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions:
- the written form has not been furnished or does not comply with the standard.
- the computer readable form has not been furnished or does not comply with the standard.

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/US00/18986

1. Statement

Novelty (N)	Yes:	Claims 3,5,10,12,16,18,19,23,29-45
	No:	Claims 1,2,4,6-9,11,13-15, 17, 20-22, 24-28
Inventive step (IS)	Yes:	Claims -
	No:	Claims 1-45
Industrial applicability (IA)	Yes:	Claims 1-19
	No:	Claims 20-45

2. Citations and explanations
see separate sheet

VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:
see separate sheet

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:
see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/US00/18986

Re Item I

Basis of the report

1. A partial search has been carried out (see PCT/ISA/210 of 06.02.01). The International Preliminary Examination cannot be carried out for the subject-matter not covered by the Search Report (see Rule 66.1(e) PCT). Thus, examination will be carried for those peptides of claim 1 and/or 8 able to modulate binding of alpha3beta1 integrins with their ligands.
- 2. A partial search has been carried out (see PCT/ISA/210 of 06.02.01) for claims 20-45. Therefore, examination will be based on the searched matter, ie based on the alleged effects of the compounds /compositions.

Re Item III

Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

1. Claims 20-45 relate to subject-matter considered by this Authority to be covered by the provisions of Rule 67.1(iv) PCT. Consequently, no opinion will be formulated with respect to the industrial applicability of the subject-matter of these claims (Article 34(4)(a)(i) PCT).

For the assessment of the present claims 20-45 on the question whether they are industrially applicable, no unified criteria exist in the PCT Contracting States. The patentability can also be dependent upon the formulation of the claims. The EPO, for example, does not recognize as industrially applicable the subject-matter of claims to the use of a compound in medical treatment, but may allow, however, claims to a known compound for first use in medical treatment and the use of such a compound for the manufacture of a medicament for a new medical treatment.

2. No opinion will be given for the subject-matter for which an ISR has not been issued (see points I.1 and I.2, above).

Re Item V

Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/US00/18986

or industrial applicability; citations and explanations supporting such statement

1. Reference is made to the following documents:

D1: MILES ET AL J. BIOL. CHEM., 1994, vol. 269, p. 30939-30945.
D2: US-A-5 696 229
D3: WO 90 03983 A
D4: WO 98 42737 A
D5: LI ET AL BIOCHEMISTRY, 1997, vol. 36, p. 15404-15410.
D6: MOTOYOSHI ET AL J. BIOL. CHEM., 1997, vol. 272, p. 32198-32205.
D7: SUBRAMANIAM ET AL J. BIOL. CHEM., 1999, vol. 274, p. 11408-11416.
D8: KRUTZSCH ET AL J. BIOL. CHEM., vol. 274, 1999, p. 24080-24086.
D9: FAISAL KHAN ET AL J. BIOL. CHEM., 1997, vol. 272, p. 8270-8275.

2. It seems that the Applicant validly claims priority. Therefore, D8 is not considered for this preliminary examination as prior art.
3. D1 discloses peptides comprising the sequence DLRL and one peptide containing the all-D-enantiomer DLRL (see peptides SSP and THP of Fig. 1, peptides 1-3, 7-10 of Table 1 and peptides 1-4, 8-11 of Table 2). SSP and type IV collagen inhibit adhesion of carcinoma cells to an extracellular matrix (see Fig. 4 and 5 Panel). For these inhibition experiments, the peptides are adsorbed onto polystyrene plates (= peptide- substrate combination; see Material and Methods, 'Cell Adhesion') after dilution in a sulfoxide/water mixture (= pharmaceutical composition). Therefore, the subject-matter of claims 1, 2, 6-9, 11, 13, 17, 20, 22 and 24 is not novel (Art 33(2) PCT).

D2 discloses the peptide 15 comprising the sequence SIKV and that slightly inhibits alveolar formation (=inhibits proliferation; compare Area Values in Table II, col. 11). The peptide 17 (Table II, col. 11), which has been proposed as the alpha3beta1 integrin binding site (col. 8, l. 29-33) has been disclaimed from claim 1 of the present application. It has been suggested in D2 that its peptides can be used to inhibit cell attachment (col. 6, l. 25-29) and angiogenesis (col. 6, l. 38). However, the peptides 15 and 17 have not been used in the examples. This renders only the subject-matter of claims 1 and 2 not novel (Art 33(2) PCT).

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/US00/18986

D3 discloses the peptides p1 (Table 1, p. 11) and p9 (Table 2, p. 12) comprising sequences NLRI. P9 was coupled with the protein KLH (=peptide-substrate combination; = pharmaceutical composition; =peptide conjugate; see p. 53, l. 7). It is suggested that said peptides can inhibit aggregation of platelets (p. 24, l. 31-32). Therefore, the subject-matter of claims 1, 2, 11, 13 and 15 is not novel (Art 33(2) PCT).

The peptide R30 (Table 1, p. 7) of D4 contains one of the sequences disclaimed in claim 1. For anti-peptide ELISA (see p. 9, l. 21), the wells were coated with this peptide. Therefore, the subject-matter of claim 11 does not meet the requirements of Art. 33(2) PCT.

D5 discloses the peptides D-Hep III and L-Hep III (see sequences in Abbreviations, p. 15404), containing the sequence DLRL, inhibit adhesion of said melanoma and breast carcinoma cells (=cells expressing alpha3beta1 integrin) to type IV collagen and fibronectin (=extracellular matrix; see Figs. 4 and 5) and invasion (= inhibition of cell motility; see Fig. 6) of basement membrane. For the 'cell adhesion assays', 'cell spreading assays', 'cell motility assays', 'inhibition of cell adhesion assays' and 'affinity chromatography and immunoprecipitation analysis', the peptides were attached to a substrate (= peptide-substrate combination; see Material and Methods) and for the 'hydrolysis analysis', the peptides were dissolved in water (=pharmaceutical composition; see Material and Methods). Thus, the subject-matter of claims 1, 2, 6-9, 11, 13, 20, 22, 24-28 does not fulfil the requirements of Art. 33(2) PCT.

D6 discloses the peptides C28, C28a and C28g-I comprising the sequence DIRV and the peptides C68, C68a and C68g-I comprising the sequence SIKI (see Table II, p. 32202). C68 do not affect tube formation (Table III, p. 32204). The peptides were dissolved in Milli-Q water (=sterile composition; see Material and Methods, 'Preparation of Peptide-conjugated Sepharose Beads') and coupled to polystyrene and sepharose beads (=peptide-substrate combination; =pharmaceutical composition; see Material and Methods, 'Synthetic Peptides and Laminin-1' and 'Preparation of Peptide-conjugated Sepharose Beads'). This renders the subject-matter of claims 1, 2, 11, 13, 14 and 17 not novel (Art. 33(2) PCT).

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/US00/18986

D7 describes that alpha3beta1 integrin is the major human TSP1-binding integrin on several human breast carcinoma cell lines. TSP1 have diverse effects on cell adhesion, motility, proliferation and survival (see abstract and introduction). Since TSP1 comprises the sequence FQGVLQNVRFVF, the subject-matter of claims 4, 20-22, 24 and 25 is not novel (Art. 33(2) PCT).

D9 discloses peptide SIKVAV, which stimulates uPA expression, in sterile aqueous solutions (=pharmaceutical composition; = sterile composition; see Material and Methods, 'Effect of Synthetic Laminin Peptides on Macrophages uPa and MMP Expression', p. 8271). Therefore, the subject-matter of claims 1, 2, 13 and 14 is not novel (Art. 33(2) PCT).

In summary, the subject-matter of claims 1, 2, 4, 6-9, 11, 13-15, 17, 20-22 and 24-28 is not novel (Art 33(2) PCT).

The subject-matter of the claims 3, 5, 10, 12, 16, 18, 19, 23, 29-45 is novel over the content of D1-D9.

4. Taking D7 as the closest prior art, the problem to be solved can be regarded as the provision of alternative compounds (peptides) that modulate the binding of alpha3beta1 integrins with their ligands.

The solution proposed in the application consists in the peptides comprising the sequences R1-X1-X2-X3-X4-R2.

It is known from D7 that alpha3beta1 integrin is the major human TSP1-binding integrin on several human breast carcinoma cell lines (see D7, Abstract). Other sequences that bind to alpha3beta1 integrin are also known, like L-Hep-III and D-Hep-III (see D5, abstract) and the GD-6 peptide (see application, p. 10, l. 21). In the knowledge of these sequences, the skilled person would be able to search for homologue sequences with the known sequence of TSP1 without the exercise of an inventive activity. Reverse peptides have been shown to be active (see D5). On the other hand, it is widely known in the field that processes like adhesion, motility and proliferation are related and can be used in treatment of diseases like cancer. Therefore, the subject-matter of claim 1-45 is not inventive.

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/US00/18986

The peptides C28 and C68 of D6, which fall within the scope of claims 1, 2, 11-45 mediate cell attachment through alpha2beta1 integrin or non-integrin receptors as stated on p. 32203, L.H. col, 1st paragraph of D6. Since all the compounds falling within the scope of said claims do not solve the technical problem, ie modulate the binding of alpha3beta1 integrins with their ligands, the subject-matter of claims 1, 2, 11-45 does not meet the requirements of Art 33(3) PCT.

It is also doubtful that any peptide comprising the sequences claimed would solve the problem stated above since said sequences could be sterically hindered or not exposed in the peptide, hindering the binding to alpha3beta1 integrins. Therefore, the subject-matter of claim 1-45 is not inventive (Art. 33(3) PCT).

Re Item VII

Certain defects in the international application

1. In Table 2, the meaning of the symbol + of the IC50 value of peptide 689 is not known.
2. The "solid bars" mentioned in the "Brief Description of the Drawings" of several figures cannot be found in the corresponding figures.
3. In Figure 19A, the peptide concentration appears to range from 1-100 uM and not 1-40 uM as mentioned in the "Description of the Drawings".
4. The vague and imprecise statement in the description "and the like" on p. 12, l. 11, p. 17, l. 32, p. 24, l. 1 and p. 50, l. 7 and "without limitation" on p. 22, l. 12 and 15 and p. 24, l. 9 imply that the subject-matter for which protection is sought may be different to that defined by the claims, thereby resulting in lack of clarity of the claims (Article 6 PCT) when used to interpret them (see the PCT Guidelines, C-III, 4.3a).
5. The term "about" used in claims 2 and 9 and on page 28, l. 21 and p. 50, l. 8 of the description, referred to numerical quantities renders unclear the scope of said claim (Art. 6 PCT).

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/US00/18986

6. Expressions as "incorporated by reference" (p. 50, l. 4-5) are not allowable (see Guidelines PCT II-4.17) since the patent specifications should, regarding the essential features of the invention, be self-contained, that is, capable of being understood without reference to any other document.
7. In claim 8, X2, X3, X4 are missing the '-'symbol in order to be in agreement with the retro-inverso synthetic peptide disclosed.
8. Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the documents D1-D6 and D9 is not mentioned in the description, nor are these documents identified therein.

Re Item VIII

Certain observations on the international application

1. Claim 4, which is dependent from claim 1, includes subject-matter explicitly disclaimed from claim 1, ie peptides comprising the sequence FQGVLQNVRFVF.
2. The claims 31, 37 and 44 do not fulfil the requirements of Art. 6 PCT, since the expressions "under condition supportive of cell division" (claim 31), "effective amount" (claim 37) and "composition sufficient to inhibit" (claim 44), have not a well-defined meaning and the skilled person does not know which are the conditions and amounts to which those expressions make reference.
3. The method of claim 26 does not meet the requirement of Art. 5 PCT since the skilled person does not know what kind of cell should be selected in order to carry out the method without undue experimentation effort. Moreover, it seems from Figs. 11-14, that inhibition of cell motility is a density- and substrate- dependent method, features which seem to be essential to carry out the method. Therefore, claim 26 does not meet the requirements of Art. 6 PCT.
4. The subject-matter of claim 6 does not meet the requirements of Art. 6 PCT since it is not known whether a "partial or full retro-inverso peptide sequence" means simply a peptide containing D-amino acids (which seems to be the case) or other kind of peptides.

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/US00/18986

5. It is understood that the peptides of claim 1 are defined by the amino acid replacements stated in said claim for the groups R1, X1, X2, X3, X4. However, the extensive definition of a peptide given on pages 12-13, when used to interpret said claim, renders its subject-matter unclear (Art. 6 PCT) since it is not known which are the specific embodiments considered as equivalents, analogs or mimetics and which not. The same objection can be raised for claim 8 in combination with the definition of a retro-inverso peptide on pages 13-14.

(12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(19) World Intellectual Property Organization
International Bureau



(43) International Publication Date
25 January 2001 (25.01.2001)

PCT

(10) International Publication Number
WO 01/05812 A3

(51) International Patent Classification⁷: C07K 14/78,
A61K 38/39, A61P 35/00, A61F 2/06

(74) Agents: DOW, Karen, B. et al.; Townsend and Townsend
and Crew LLP, Two Embarcadero Center, 8th Floor, San
Francisco, CA 94111-3834 (US).

(21) International Application Number: PCT/US00/18986

(81) Designated States (*national*): AE, AG, AL, AM, AT, AU,
AZ, BA, BB, BG, BR, BY, BZ, CA, CH, CN, CR, CU, CZ,
DE, DK, DM, DZ, EE, ES, FI, GB, GD, GE, GH, GM, HR,
HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR,
LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ,
NO, NZ, PL, PT, RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM,
TR, TT, TZ, UA, UG, US, UZ, VN, YU, ZA, ZW.

(22) International Filing Date: 12 July 2000 (12.07.2000)

(84) Designated States (*regional*): ARIPO patent (GH, GM,
KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZW), Eurasian
patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European
patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE,
IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG,
CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG).

(25) Filing Language: English

Published:

(26) Publication Language: English

— With international search report.

(30) Priority Data:

60/144,549 15 July 1999 (15.07.1999) US

(88) Date of publication of the international search report:
3 May 2001

(71) Applicant (*for all designated States except US*): THE
GOVERNMENT OF THE UNITED STATES OF
AMERICA as represented by THE SECRETARY OF
THE DEPARTMENT OF HEALTH AND HUMAN
SERVICES [US/US]; Bethesda, MD 20892 (US).

For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

(72) Inventors; and

(75) Inventors/Applicants (*for US only*): ROBERTS, David,
D. [US/US]; 6808 Persimmon Tree Road, Bethesda, MD
20817 (US). KRUTZSCH, Henry, C. [US/US]; 9704 De-
Paul Drive, Bethesda, MD 20817 (US).

A3

(54) Title: PEPTIDES AND THEIR UTILITY IN MODULATION OF BEHAVIOR OF CELLS EXPRESSING $\alpha 3\beta 1$ INTEGRINS

(57) Abstract: The present invention relates to a peptide comprising the sequence R₁-X₁-X₂-X₃-X₄-R₂, wherein X₁ is selected from the group consisting of N, Q, D and S; X₂ is selected from the group consisting of V, I and L; X₃ is selected from the group consisting of R and K; and X₄ is selected from the group consisting of V, I, L and F; R₁ is a hydrogen or a peptide of 1 to 6 amino acids, and acyl or an aryl group; and R₂ is a peptide of 1 to 3 amino acids, a hydroxide or an amide. The invention also relates to partial or full retro-inverso peptides comprising the above sequences. The invention also relates to peptide-substrate combination comprising a substrate suitable for cell growth and the peptide of the invention, and to a vascular graft and an artificial blood vessel comprising the peptide-substrate combination. The invention also relates to a pharmaceutical composition and a peptide conjugate comprising the peptide of the invention. The invention also relates to a method of inhibiting adhesion of a cell expressing $\alpha 3\beta 1$ integrin to an extracellular matrix, inhibiting $\alpha 3\beta 1$ -integrin-mediated cell motility, inhibiting $\alpha 3\beta 1$ -integrin mediated cell proliferation, promoting $\alpha 3\beta 1$ -integrin mediated cell proliferation and inhibiting angiogenesis utilizing the peptides of the invention.

WO 01/05812

PATENT COOPERATION TREATY

PCT

10/030735

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 15280-397-1PC	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/US 00/ 18986	International filing date (day/month/year) 12/07/2000	(Earliest) Priority Date (day/month/year) 15/07/1999
Applicant THE GOVERNMENT OF THE U.S.A. AS REPRESENTED BY...		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 5 sheets.

It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).
- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :
 - contained in the international application in written form.
 - filed together with the international application in computer readable form.
 - furnished subsequently to this Authority in written form.
 - furnished subsequently to this Authority in computer readable form.
 - the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
 - the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. **Certain claims were found unsearchable (See Box I).**

3. **Unity of invention is lacking (see Box II).**

4. With regard to the **title**,

- the text is approved as submitted by the applicant.
- the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

- the text is approved as submitted by the applicant.
- the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

- as suggested by the applicant.
- because the applicant failed to suggest a figure.
- because this figure better characterizes the invention.

None of the figures.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.2

The initial phase of the search revealed a very large number of documents relevant to the issue of novelty. So many documents were retrieved that it is impossible to determine which parts of the claim(s) may be said to define subject-matter for which protection might legitimately be sought (Article 6 PCT). For these reasons, a meaningful search over the whole breadth of the claim(s) is impossible. Consequently, the search has been restricted to the peptides of claim 1 and/or 8 having the alleged activity i.e. being able to modulate binding of alpha3beta1 integrins with their ligands.

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

INTERNATIONAL SEARCH REPORT

International Application No

US 00/18986

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 C07K14/78 A61K38/39 A61P35/00 A61F2/06

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C07K A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

BIOSIS, EPO-Internal, WPI Data, PAJ, STRAND, CHEM ABS Data, MEDLINE

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category ^a	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	<p>MILES A J ET AL: "PROMOTION OF CELL ADHESION BY SINGLE-STRANDED AND TRIPLE-HELICAL PEPTIDE MODELS OF BASEMENT MEMBRANE COLLAGEN ALPHA1(IV)531-543. EVIDENCE FOR CONFORMATIONALLY DEPENDENT AND CONFORMATIONALLY INDEPENDENT TYPE IV COLLAGEN CELL ADHESION SITES"</p> <p>JOURNAL OF BIOLOGICAL CHEMISTRY, US, AMERICAN SOCIETY OF BIOLOGICAL CHEMISTS, BALTIMORE, MD, vol. 269, no. 49, 1 December 1994 (1994-12-01), pages 30939-30945, XP000615314</p> <p>ISSN: 0021-9258</p> <p>page 30941, left-hand column, paragraph 1; figure 1; tables I,II</p> <p>page 30942, right-hand column, paragraph 2</p> <p>-page 30945, left-hand column, last paragraph</p> <p style="text-align: right;">-/-</p>	<p>1,2,6,7, 31,32, 37,38, 40-42</p>

Further documents are listed in the continuation of box C.

Patent family members are listed in annex.

* Special categories of cited documents :

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *&* document member of the same patent family

Date of the actual completion of the international search

17 January 2001

Date of mailing of the international search report

06/02/2001

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Fuhr, C

INTERNATIONAL SEARCH REPORT

International Application No

US 00/18986

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	<p>---</p> <p>LI CHANGFEN ET AL: "An all-D amino acid peptide model of alpha1(IV)531-543 from type IV collagen binds the alpha3beta1 integrin and mediates tumor cell adhesion, spreading, and motility." <i>BIOCHEMISTRY</i>, vol. 36, no. 49, 9 December 1997 (1997-12-09), pages 15404-15410, XP002157599 ISSN: 0006-2960 page 15408, right-hand column, paragraph 3 -page 15410, left-hand column, paragraph 2</p> <p>---</p>	1,2,6,7, 31,32, 37,38, 40-42
X	<p>NOMIZU MOTOYOSHI ET AL: "Identification of cell binding sequences in mouse laminin gamma1 chain by systematic peptide screening." <i>JOURNAL OF BIOLOGICAL CHEMISTRY</i>, vol. 272, no. 51, 19 December 1997 (1997-12-19), pages 32198-32205, XP002157600 ISSN: 0021-9258 page 32203, right-hand column, paragraph 2 -page 32205, left-hand column, paragraph 2; figure 8; table II</p> <p>---</p>	1,2
A	<p>CHANDRASEKARAN SUBRAMANIAM ET AL: "Pro-adhesive and chemotactic activities of thrombospondin-1 for breast carcinoma cells are mediated by alpha3beta1 integrin and regulated by insulin-like growth factor-1 and CD98." <i>JOURNAL OF BIOLOGICAL CHEMISTRY</i>, vol. 274, no. 16, 16 April 1999 (1999-04-16), pages 11408-11416, XP002157601 ISSN: 0021-9258 page 114114, left-hand column, paragraph 2 -page 11415, right-hand column, last paragraph</p> <p>---</p>	1,20-30
P,X	<p>KRUTZSCH HENRY C ET AL: "Identification of an alpha3beta1 integrin recognition sequence in thrombospondin-1." <i>JOURNAL OF BIOLOGICAL CHEMISTRY</i>, vol. 274, no. 34, 20 August 1999 (1999-08-20), pages 24080-24086, XP002157602 ISSN: 0021-9258 page 24080, right-hand column, paragraph 3 -page 24086, left-hand column, line 1; tables I-III</p> <p>---</p> <p>-/-</p>	1-5, 20-30

INTERNATIONAL SEARCH REPORT

International Application No

US 00/18986

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5 696 229 A (MATTER MICHELLE L ET AL) 9 December 1997 (1997-12-09) see seq id no 17 claims; examples; table II ----	1,30
X	WO 90 03983 A (SCRIPPS CLINIC RES) 19 April 1990 (1990-04-19) claims 1-3,8-12; examples ----	1,13, 20-30
X	WO 98 42737 A (HADASIT MED RES SERVICE ;NAPARSTEK YAAKOV (IL)) 1 October 1998 (1998-10-01) see fragment R30 table 1 ----	1,2
X	FAISAL KHAN K M ET AL: "Role of laminin in matrix induction of macrophage urokinase-type plasminogen activator and 92-kDa metalloproteinase expression." JOURNAL OF BIOLOGICAL CHEMISTRY, vol. 272, no. 13, 1997, pages 8270-8275, XP002157603 ISSN: 0021-9258 table II -----	1,2

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

US 00/18986

Patent document cited in search report	Publication date	Patent family member(s)			Publication date
US 5696229	A	09-12-1997			NONE
WO 9003983	A	19-04-1990	US	5149780 A	22-09-1992
			US	5204445 A	20-04-1993
			AT	136908 T	15-05-1996
			AU	4427389 A	01-05-1990
			CA	2000048 A	03-04-1990
			DE	68926303 D	23-05-1996
			DE	68926303 T	21-11-1996
			EP	0436660 A	17-07-1991
			ES	2024728 A	01-03-1992
			GR	89100632 A,B	29-11-1990
			PT	91888 A	30-04-1990
WO 9842737	A	01-10-1998	AU	6306598 A	20-10-1998
			EP	0972032 A	19-01-2000